

PATENT / DOCKET NO. 16356.686 (DC-03/30)
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Peppers, Cherita Arnece et al.

Serial No.: 10/087,384

Filed: March 1, 2002

For:

METHOD AND APPARATUS FOR AUTOMATED

OPERATING SYSTEMS UPGRADE

Group Art Unit: 2192

Examiner: Romano, John J.

Mail Stop RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Enclosed are the following documents corresponding to the enclosed Request for Continued Examination:

- 1. Request for Continued Examination Transmittal ("RCE") (in duplicate);
- 2. a check in the amount of \$ 790.00;
- 3. a return postcard.

The Commissioner is hereby authorized to charge Deposit Account No. 08-1394, Order No. 16356.686 (DC-03130) of Haynes and Boone, LLP, for any deficiencies in the enclosed fees. This sheet is submitted in duplicate.

Respectfully submitted,

James R. Bell

Registration No. 26,528

Date: 10-13-05

HAYNES AND BOONE, LLP 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 512/867-8407

Facsimile: 214/200-0853

a-182813.1

DATE OF DEPOSIT: ____

This paper and fee are being deposited with the U.S. Postal Service first class mail addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

Nishi Pasarya

PTO/SB/30 (04-05)

OCT 1 7 2005

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Reduction Act of 1995, no persons are require

Request

for

Continued Examination (RCE) **Transmittal**

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

ed to respond to a collection of informa	tion unless it contains a valid OMB control number.
Application Number	10/087,384
Filing Date	March 1, 2002
First Named Inventor	Peppers, Cherita Arnece et al.
Art Unit	2192
Examiner Name	Romano, John J.
Attorney Docket Number	16356.686 (DC-03130)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.	 Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). 						
	a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.						
	i.	Consider the arguments in the Appeal Brief or Reply Brief previously	ly filed on	<u>. </u>			
	li.	Other Response to Final Office action mailed September 9, 2005					
	b. Enclosed						
	l.	Amendment/Reply iii. Info	ormation Disclosure Sta	atement (IDS)			
	ii.	Affidavit(s)/ Declaration(s) iv. Other	er				
2. Miscellaneous							
Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a							
a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b Other							
	ь. Ц	<u></u>					
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.							
The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 08-1394 I have enclosed a duplicate copy of this sheet.							
i. RCE fee required under 37 CFR 1.17(e)							
	ii.	Extension of time fee (37 CFR 1.136 and 1.17)					
	***	Other					
	iii. b.		closed				
				•			
c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit							
card information and authorization on PTO-2038.							
SIGNATURE OP APPLICANT, ATTORNEY, OR AGENT REQUIRED							
Signa		79dr Osce	Date Registration No.	10-13-05	-8		
Ivalli	e (Print/Type	- Idamoo III. Boli G		26,528			
		CERTIFICATE OF MAILING OR TRANSMIS		class mail in an envelope			
addre	ssed to: Mai	it this correspondence is being deposited with the United States Postal Service with s I Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 of	sufficient postage as first of or facsimile transmitted to	the U.S. Patent and Trademark			
Office Signa	on the date	shown below.			┨		
1		Nichi Pacanya	Date 10	उर्ग है	1		
Name (Print/Type) Nishi Pasarya This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USP40 to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USP10. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.							
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